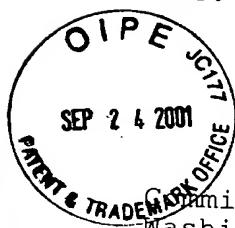


IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:) Art Unit: 1616
NIELSEN, et al.) Examiner:
Serial No.: 09/845,716) Washington, D.C.
Filed: May 2, 2001) September 24, 2001
For: USE OF ALPHA-MSH AND EPO) Docket No.: NIELSEN=3A
FOR PREVENTING OR...)

PLF
1502



PRELIMINARY AMENDMENT

Commissioner of Patents
Washington, D.C. 20231

S i r :

IN THE CLAIMS

Please cancel claims 6-10.

Please amend claims 3-5 as follows:

3 (amended). A method of claim 1 wherein the condition is caused by ischemia of the tissue.

4 (amended). A method of claim 1 wherein the condition is caused by coronary artery disease.

5 (amended). A method of claim 1 wherein the dose of α -MSH and/or of an α -MSH equivalent or a EPO and/or an EPO equivalent or a combination thereof is administered prophylactically for preventing the establishment of the condition or any symptom of the condition or for preventing a progress of the condition or of any symptom of the condition.

Please add the following new claims:

11 (new). The method of claim 2 wherein the condition is caused by ischemia of the tissue.

12 (new). The method of claim 1 where the condition is caused by stenosis.

13 (new). The method of claim 1 where the condition is selected from the group consisting of atheromatous disease with thrombosis, embolism from the heart or from blood vessel from any organ, vasospasm, aortic aneurysm or aneurisms in other organs, thoracal or abdominal or dissecting aortic aneurysm, hypotension

a1

a2

a3